

Date: January 11, 2008 Label No. EM030848268US I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

Kim Blum  
Name (Print)

Kim Blum  
Signature

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	CHANo et al.	)	Examiner:	Peter J. Reddig
		)		
Application No.:	10/516,558	)	Group Art Unit:	1642
		)		
Filed:	January 25, 2005	)	Confirmation No.:	2830
		)		
Docket No.:	3190-070	)	Customer No.:	33432

For: RB1 GENE INDUCED PROTEIN (RB1CC1) AND GENE

### DECLARATION UNDER 37 C.F.R. § 1.132

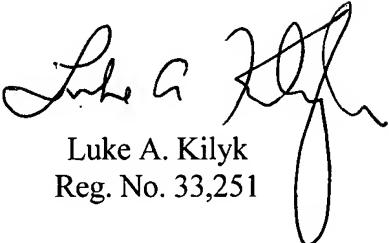
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

- 1.) We, Tokuhiro Chano, Shiro Ikegawa, and Hidetoshi Okabe, do declare and state as follows: We are three of the six named inventors of the present application identified above.
- 2.) We are aware that the Examiner has relied upon a reference identified as Chano et al. (ONCOGENE, 2002).
- 3.) The Chano et al. reference relied upon by the Examiner to show the claimed invention is subject matter that was conceived and invented by us, Tokuhiro Chano, Shiro Ikegawa, and Hidetoshi Okabe, for purposes of the present invention. It is respectfully noted that Keiichi Kontani, Nicola Baldini, and Yukikazu Saeki were research assistants working under our supervision and were involved in the preparation of this publication. In view of their contributions in preparing the publication, we acknowledged their assistance by naming them in

U.S. Patent Application No. 10/516,558  
Amendment dated January 11, 2008  
Reply to Office Action dated October 11, 2007

Respectfully submitted,



Luke A. Kilyk  
Reg. No. 33,251

Atty. Docket No. 3190-070  
KILYK & BOWERSOX, P.L.L.C.  
400 Holiday Court, Suite 102  
Warrenton, VA 20186  
Tel.: (540) 428-1701  
Fax: (540) 428-1720  
Attachment: Declaration under 37 C.F.R. §1.132 (2 pages)